



CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Lisa Mansur, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on:

Date: March 8, 2004

By

Lisa Mansur

**IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE**

Applicant(s): Jonathan W. Hubbs Docket No.: 29092.00011
Application No.: 09/751,025 Group Art Unit: 1755
Filing Date: December 29, 2000 Examiner: Brunsman, David M.
TITLE: MALLEABLE SURFACE MATERIAL

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, September 8, 2003, rejecting the following claims: 1-38 and 41-46.

The fee for this Notice of Appeal is (37 CFR 1.17(r)) \$330.00

- ☒ Applicant asserts "small entity" status under 37 C.F.R. §§1.9 and 1.27.
☐ A Squire, Sanders & Dempsey L.L.P. check in the amount of \$_____ is enclosed.
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-3878**. I have enclosed a duplicate copy of this sheet.
☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the

- ☐ applicant.
☐ assignee of record of the entire interest.
☒ attorney or agent of record.

David E. Rogers
David E. Rogers
Reg. No. 38,287

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Dated: March 8, 2004